



Rwanda

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The largely Tutsi Rwandan Patriotic Front (RPF), which took power following the civil war and genocide of 1994, is the principal political force and controls the Government of National Unity. On March 23, President Pasteur Bizimungu, who had been President since 1994, tendered his resignation. In accordance with the 1993 Arusha Accords, the RPF submitted two candidates to the National Assembly, which elected former Vice President and Minister of Defense General Paul Kagame, who was sworn in as President on April 22. The leadership transition took place without incident and was the first non-violent presidential change in the country's history. President Kagame did not name a Vice President, but named a new Minister of Defense, Colonel Emmanuel Habyarimana, shortly after taking office. On February 28, Prime Minister Pierre Celestin Rwigema resigned and in accordance with the Arusha accords, on March 8, he was replaced by Bernard Makuza. The Prime Minister runs the Government on a daily basis and is responsible for relations with the National Assembly, which is influenced by the executive branch. In January the former Speaker of the Assembly, Joseph Seberenzi, was forced from office due to a political party power struggle. In 1994 the parties agreed to suspend party activity below the national level for the duration of the transition period, which originally was scheduled to end in July 1999. However, in June 1999, the Government announced the extension of the transition period for another 4 years. While March 1999 local elections for community development committees were held, commune level elections were postponed until 2001 due to legislative, logistical, and financial problems. The judiciary suffers from a lack of resources, inefficiency, and some corruption.

The Minister of Defense is responsible for external security and military defense; the Minister of Internal Security is responsible for civilian security matters as well as supervision of the prisons and the national police. The new civilian Rwandan National Police (RNP) replaced the gendarmerie and the communal police. The security apparatus consists of the Rwandan Patriotic Army (RPA) and the police. A volunteer force of armed civilian local defense units with limited arrest powers also works throughout the country. The security situation in the northwest remained calm. There were numerous and widespread unconfirmed reports that armed bands of Rwandan Hutus posing as Interahamwe fighters committed abuses in the DRC. The Rwandan army allegedly recruited these groups in order ostensibly to demonstrate the need for a continued Rwandan military presence in the areas they controlled. Members of the security forces committed serious human rights abuses, although to a lesser extent than in the previous year.

The country is very poor, and 70 percent of the population lives in poverty. The 1994 genocide destroyed the country's social fabric, human resource base, institutional capacity, and economic and social infrastructure. A 2-year drought has led to food shortages and famine in some parts of the country. Per capita annual income is \$252. Subsistence agriculture employs more than 90 percent of the labor force. The principal exports are coffee and tea. Small-scale commercial activities are increasing, but the industrial and tourism base remains limited.

The Government's human rights record remained poor, and the Government continued to be responsible for numerous, serious abuses; however, there were some improvements in a few areas. Citizens do not have the right to change their government. The security forces committed extrajudicial killings within the country; there also were many reports, some of which were credible, that Rwandan army units operating in the Democratic Republic of the Congo (DRC) committed deliberate extrajudicial killings and other serious abuses. Some deaths in custody were due to mistreatment or abuse by corrupt officials. There were allegations of a small number of disappearances. Security forces beat suspects, and there were some reports of torture. Prison conditions remained harsh and life threatening and prisoners died from starvation, curable diseases, or abuse. Most of the prisoners housed in jails and local detention centers (cachots) are accused of participating in the 1994 genocide; many have been detained for up to 6 years without being charged. Arbitrary arrest and

detention, and prolonged pretrial detention remained problems. The Government took steps to prosecute and punish some human rights abusers. The judiciary is subject to executive influence and does not always ensure due process or expeditious trials. Genocide trials continued at a slow pace. The Government released approximately 3,000 detainees whose files were incomplete, who were acquitted, or who were ill or elderly. The Government restricted freedom of the press, and limited freedom of assembly and association. The Government imposed some restrictions on freedom of religion. The Government limited freedom of movement. Security forces generally did not harass refugees who returned from neighboring countries. The Government was hostile toward some nongovernmental human rights organizations. Violence and discrimination against women were problems, as was discrimination based on indigenous and ethnic status. There were reports that prisoners were hired out for labor in private homes and businesses. Child labor persists, particularly in the agricultural sector.

Insurgents tied to those responsible for the 1994 genocide committed several killings.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

The RPA continued to commit extrajudicial killings inside the country, although fewer than the previous year, due to its success in largely suppressing the insurgency in the northwest, as it pushed Hutu rebels including the former Rwandan armed forces (ex-FAR) and the Interahamwe militia inside the territory of the DRC. Security in the northwest remained calm. However, there were credible reports that RPA forces committed extrajudicial killings in the DRC.

On March 5, three men reportedly in military uniform shot and killed Assiel Kabera, an advisor to then-President Bizimungu, outside his house. The Government maintains that Kabera's killing was related to a family dispute involving Antoinette Kagagu, who was killed the week before outside her home. In February Kagagu was acquitted of the 1998 murder of her husband and Kabera reportedly was involved in a dispute over custody of her children. No one was arrested or charged in Kabera's murder by year's end; however, the Government stated that an investigation was ongoing.

Human rights organizations claim that several incidents of alleged attacks by rebels led to counterattacks by security forces. In late December 1999, there were reports that soldiers illegally detained a man from Gisenyi and four others in a ditch for 6 weeks (see Section 1.d.). When the men escaped in mid-February, allegedly after having been told they were to be killed the next day, RPA soldiers recaptured one, shot him, and left him for dead. When the soldiers discovered the man still was alive, they told residents they were transporting him to the hospital, but beat the man to death instead. There also were reports that in early January, security forces beat to death Jean Damascene Gatabazi, an alleged bandit. During the year, the Government began to provide to human rights organizations, and even other governments, systematic replies and rebuttals to allegations of human rights abuses. It also increased measures to arrest alleged offenders from the security services; according to the Government, 27 soldiers were arrested and detained on charges of murder, manslaughter, or armed robbery in the DRC. Others were arrested on charges of offenses committed in Rwanda. According to the Government, all of those arrested were awaiting trial in military prisons at year's end.

The improvement in the security situation in the northwest led to a corresponding decline in alleged reprisals by the RPA; however, there were reports of incursions and murders by armed infiltrators in the northwest, some of whom were ex-FAR or Interahamwe.

The National Demining Office (NDO), an independent unit of the RPA, reported three deaths from landmine or unexploded ordnance explosions in July; numerous persons were injured (see Section 1.c.). These mines are believed to be left over from the 1990-94 conflict between the former government and the RPA.

Harsh prison conditions contributed to the deaths of approximately 1,100 inmates during the year. Some deaths in custody were due to abuse by corrupt prison officials (see Section 1.c.).

Since the start of the current war in the DRC in August 1998, RPA troops have participated on the side of the Congolese rebel movement Rassemblement Congolais pour la Democratie (RCD) against the DRC Government. In July 1999, all parties involved in the war in the DRC signed the Lusaka Agreement, which included a cease-fire; however, all parties, including RPA soldiers, repeatedly participated in battles after the declaration.

There were allegations of human rights violations during fighting between RPA and Ugandan army troops in Kisangani, DRC, in May and June, which resulted in hundreds of civilian deaths, over 1,700 persons injured (see Section 1.c.), and 60,000 displaced persons (see Section 2.d.). The most severe of these clashes occurred from June 5 to 11, during which time both forces shelled the city with artillery and mortar fire, destroying homes and much of the city's infrastructure. Credible sources claim that RPA and Ugandan troops raped many women and shot persons during extensive fighting in the city. Humanitarian organizations report that approximately 700 Congolese civilians were killed during the fighting. Many died from injuries because they were unable to get medical attention; transportation to hospitals during the fighting often was unavailable. Many displaced persons remained at a camp outside of the city for several months because they feared to return to their homes. There was widespread reporting throughout the year of killings and other human rights abuses by both pro-DRC and anti-DRC government forces, including the RPA, in the conflict in the DRC. Verification of these reports was extremely difficult, particularly those emanating from remote areas and those affected by active combat, primarily in eastern DRC. Independent observers often found access difficult due to hazardous security conditions and frequent impediments imposed by authorities. Both pro- and anti-DRC Government forces extensively used propaganda disseminated via local media, including charges leveled against opposing forces, further complicating efforts to obtain accurate information regarding such events.

The Government admits that human rights abuses have occurred in territory under RPA/RCD control, but claims that these were acts committed by individuals, not by the military as an institution. On January 29, in Bunia, a Rwandan soldier reportedly summarily executed a Congolese rebel soldier based on the suspicion that the Congolese soldier was passing information to an opposing rebel group. On February 5, RCD and RPA soldiers reportedly attacked the village of Kilambo, North Kivu Province. The rebels allegedly tied up men, raped their wives in front of them (see Section 1.c.), and then killed 30 persons. From March 6 to 8, RPA forces reportedly made repeated attacks on the village of Kilambo in Masisi, North Kivu Province, and allegedly executed numerous persons suspected of collaborating with the Interahamwe. For example, the RPA reportedly killed two men known as Kapalata and Mamboleo, Samuel Kanyomo, a woman named Suzana, and her three children. On June 23, in Walikale, DRC, RPA Captain Alexis Rugira and other RPA soldiers, stole Baligizi Mufungizi's bicycle and killed him. Captain Rugira, Lt. Gapfunsi, S/Maj. Rutabana, and two privates were arrested and were in pretrial detention awaiting prosecution by the military tribunal at year's end. On September 1, RPA Captain Peter Kabanda and other RPA soldiers allegedly killed 67 unarmed civilians in Masisi, North Kivu, DRC. The captain and the other RPA soldiers were arrested for acting contrary to operational orders and for failing to differentiate between the enemy and unarmed civilians. The soldiers were in detention awaiting prosecution for murder before the military tribunal at year's end. There were other reports of extrajudicial killings committed either by elements of the RCD, which the RPA materially supported and in some respects often directed, or in which direct involvement by RPA soldiers was not clear to persons who found it difficult to distinguish between RCD and RPA forces. Some of these reports of RPA killings surfaced in Kinshasa, DRC, media directly or indirectly controlled by the DRC Government; however, other such reports emerged through international religious or humanitarian organizations and were based on the accounts of multiple witnesses or photographic or other evidence. The reported extrajudicial killings of civilians by RCD and Rwandan forces in the DRC often reportedly were committed in reprisal for guerrilla attacks on RCD or Rwandan forces.

There were unconfirmed reports that Rwandan and Ugandan forces used landmines during the fighting in Kisangani; however, the number of resulting deaths and injuries is unknown.

There was no investigation nor action taken in the January 1999 case in which the RPA killed two infiltrators in Gitarama prefecture. There was no investigation nor action taken in the February 1999 case in which the RPA killed four insurgents in Ruhengeri, and put the body of one on display at the Nyarutovu internally displaced persons (IDP) camp. There was no investigation nor action taken in the May 1999 case in which the army reportedly killed 49 persons, mostly women and children, after they fled into Volcanoes National Park.

Although the Government has arrested and investigated several soldiers for their roles in human rights violations committed in DRC territory since the start of the current war in 1998, none of those in custody listed in the Government's report had been brought to trial by year's end. The RPA and RCD claimed that they continue to investigate the RCD commanders believed to be responsible for the January 1999 massacre in Makobola, DRC; in that incident 37 civilians allegedly were killed in revenge for the killing of RCD soldiers by Mai-Mai forces. One suspect was arrested, but allegedly escaped from detention and fled to Uganda. The Government claims the Interahamwe militia, not the RCD, killed Roman Catholic Father Kakuja in November 1999. RCD forces allegedly killed six militiamen in pursuit of the priest's attackers. During the year, there were numerous reports that RCD forces, participating with or supported by the RPA, buried 15 women alive at Mwenga in December 1999. However, the Government denied these charges and claims that 3 women, not 15, were only badly beaten by civilians who accused the women of witchcraft. According to the Government, the women were rescued from mob justice by RCD troops, but later died from their injuries. In December 1999, the RCD/RPA arrested the RCD commander, but he escaped from jail on February 5 along with 32 other detainees.

Domestic courts continued adjudicating cases arising from the 1994 genocide (see Section 1.c.). On June 14, following a 9-month trial, the Court of First Instance acquitted of all genocide charges Roman Catholic Bishop Augustin Misago, the highest-ranking Catholic clergyman and the first Bishop to be charged with genocide. The Government has filed an appeal, which was pending at year's end. In August two group trials were held by the Court of First Instance in Cyangugu prefecture resulting in numerous convictions, for which sentences, including death and life imprisonment were handed down. On October 25, the Ruhengeri Court of Appeals overturned the convictions of Edouard Nturiye and Francois Kayiranga, two Catholic priests who were sentenced to death in 1998 on genocide charges.

In June 1999 in the DRC, Rwandan prosecutorial police arrested and transferred to Kigali former Radio Milles Collines broadcaster Valerie Bemeriki on charges of genocide and crimes against humanity. She allegedly incited persons to kill during the 1994 genocide with her inflammatory radio broadcasts. Bemeriki remained in detention pending trial at year's end.

The International Criminal Tribunal for Rwanda (ICTR), based in Arusha, Tanzania, also prosecuted genocide suspects (see Section 4). On January 27, Alfred Musema was sentenced to life imprisonment for genocide and crimes against humanity, including rape. On March 31, the ICTR Appeals Chamber ruled that Jean-Bosco Barayagwiza, former officer in the foreign ministry and a member of the Radio Television Libre des Mille Collines planning committee, remain in ICTR custody to be tried for genocide and crimes against humanity (see Section 4). A joint trial broadcast by the media, including Barayagwiza, began on September 18 and was ongoing at year's end. On October 19, the ICTR denied former Prime Minister Jean Kambanda's appeal against a life sentence for genocide; he immediately was remanded to begin his sentence. Kambanda had challenged his 1998 sentence on various grounds. The joint trial against former Minister of Family and Women's Affairs Pauline Nyiramasuhuko and other former government officials was placed on the schedule for April 2001.

A number of ICTR cases were ongoing at year's end. The genocide trial against former mayor Ignace Bagilishema continued during the year. Former Information Minister Eliezer Niyitegeka, former Health Minister Casimir Bizimungu, and a number of former ministers remained in detention awaiting trial in Arusha. Major Francois-Xavier Nzuwonemey, former Reconnaissance Battalion Commander, and Lt. Colonel Tharcisse Muvunyi, both of whom were transferred to Arusha during the year, were in detention pending trial at year's end (see Section 4). Elizaphan Ntakirutimana, a preacher who was extradited to Arusha in March, remained in detention pending trial for allegedly inciting the massacre of hundreds of Tutsi seeking refuge in his church (see Section 4). Bernard Ntuyahaga, a former army major, who feared he would be deported to Rwanda to face trial, turned himself in to the ICTR seeking to be a protected witness; however, he was released from ICTR custody and subsequently was arrested by Tanzanian authorities on immigration violations. In November former army captain Innocent Sagahutu was transferred from Denmark to Arusha. Sagahutu and Ntuyahaga are accused of murdering the former Prime Minister and 10 Belgian peacekeepers assigned to protect her in 1994. Ntuyahaga remains in a Tanzanian jail awaiting a ruling on Belgium's and Rwanda's extradition requests. Sagahutu remained in detention pending a joint military trial by the ICTR for 12 counts of complicity in the 1994 genocide.

Lightly armed civilian local defense units (LDU's) exist, but are not professional security forces. During the year, soldiers and LDU members allegedly killed civilians on several occasions when they mistook the civilians for infiltrators from the Congo. There were reports that individual LDU members or demobilized soldiers were responsible for the shooting and killing of some civilians. Most killings apparently were the result of personal quarrels, thievery, or drunkenness. There was no investigation nor action taken in the August 1999 case in which members of an LDU shot and killed a woman in the Nkamira transit camp.

In June approximately 12 bodies, some headless or without clothes, were seen floating in the Akagera River, but it is unclear who the persons were or how they were killed.

b. Disappearance

Based on interviews with residents of Kibungo prefecture, local and international human rights organizations alleged that some Hutu residents, mostly boys and small business owners, disappeared from their homes or from prisons (see Section 1.c.).

There were sporadic, unconfirmed reports that persons arrested and detained in areas of the DRC controlled by anti-DRC government forces were transferred to Rwanda and remained unaccounted for by year's end. For example, on May 15, RPA soldiers reportedly arrested Ainakafota, the director of the Bolongo-Bas office of Friends of Nelson Mandela for Human Rights (ANMDH) in Orientale Province, DRC, and two other staff members of the human rights NGO, on suspicions of spying. The ANMDH and family members have not been

able to locate Ainakafota or the staff members since their arrest; inquiries to Rwandan officials concerning their whereabouts have produced no results.

In the DRC, RPA and Ugandan troops, in addition to RCD rebels, reportedly abducted many young women from the villages they raided. These night raids on villages became so frequent that in many parts of the Kivu Provinces peasants slept in their fields.

There were no developments regarding several refugees returning from the DRC in 1999 who registered at a transit center, but failed to arrive in their home communes.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The fundamental law prohibits torture; however, a nongovernmental organization (NGO) credibly reported that beatings at the time of arrest are common, and some released detainees reported that they had been tortured. There were Amnesty International and Human Rights Watch reports in April that accused the RPA of forcibly returning to the country and mistreating former soldiers and others alleged to have helped political opponents leave the country, or believed to support the former King. For example, there were reports that four men arrested in Burundi and Tanzania under false pretenses were detained and tortured by RPA soldiers after being forcibly repatriated to the country; however, the National Commission for Human Rights (NCHR) and the men's families visited the men in detention and reported that the men did not appear to have been tortured. In June the Government refuted such claims in a written response to Human Rights Watch. There were reports that at least three of the men was released by year's end.

On August 11, three soldiers harassed and beat the wife of Vales Kwitegetse, a journalist with the government-controlled newspaper Imvaho (see Section 2.a.).

The NDO reported that 22 persons were injured from landmine or unexploded ordnance explosions during the year; 3 persons also were killed (see Section 1.a.).

During the year, there were numerous credible reports that RCD forces, participating with or supported by the RPA, beat, tortured, and then buried alive 15 women at Mwenga, DRC, in December 1999 (see Section 1.a.). However, the Government denied these charges and claims that 3 women, not 15, were beaten severely by civilians who accused the women of witchcraft.

There were reports that Rwandan and Ugandan soldiers allegedly raped women during extensive fighting in Kisangani in May and June (see Section 1.a.). Rwandan troops and RCD rebels also reportedly engaged in the rape of women in public places and often in the presence of their families. A woman raped in this manner generally is forced out of her village, and must leave her husband and children behind.

On February 5, RCD and RPA soldiers reportedly attacked the village of Kilambo, North Kivu Province. The rebels allegedly tied up men, raped their wives in front of them, and then killed 30 persons (see Section 1.a.).

There were reports that both Rwandan and Ugandan forces used landmines during the fighting in Kisangani (see Section 1.a.).

The RPA continues to dismiss soldiers for indiscipline and criminal offenses.

At least one international NGO has complained that government security forces have harassed some of its informants (see Section 4).

Unlike in the previous year, there were no reports during the year from a domestic human rights group that detainees interviewed for its reports showed wounds resulting from mistreatment.

There was no investigation nor action taken against the police who reportedly beat and arrested six university students who, along with other students, were marching to the Prime Minister's office in August 1999.

Prison conditions are harsh and life threatening. The International Committee of the Red Cross (ICRC) has registered approximately 110,000 prisoners detained on genocide-related or security-related charges and estimates that an additional 5,000 prisoners are detained on charges unrelated to the genocide; however, the Ministry of Justice routinely refers to the prison population as 130,000. The prison population has remained

stable since early 1998. The ICRC feeds inmates in the 19 main prisons and also provides additional expertise and logistical and material support to improve conditions for inmates. Overcrowding is a chronic problem, and sanitary conditions are extremely poor. The ICRC does not believe that prison conditions have improved with the 1999 transfer of prison administration to the Ministry of Internal Affairs; however, conditions in the cachots have improved. The Government does not provide adequate food or medical treatment. On some occasions during the year, the Government was unable to provide any food; in June a food shortage was remedied with supplies from the ICRC. Harsh prison conditions and malnutrition contributed to the deaths of numerous inmates. Some deaths in custody were due to abuse by officials. Most of the approximately 1,100 deaths during the year were the result of curable diseases, suspected HIV/AIDS, or the cumulative effects of severe overcrowding. The Ministry continued to dismiss prison officials, some of whom subsequently were jailed on corruption charges. Women are detained separately from men; however, hundreds of children were incarcerated with adults throughout the prison system (see Section 5).

There were reports that some Hutu residents, mostly boys and small business owners, disappeared from their homes or from prisons (see Section 1.b.).

The ICRC, human rights organizations, diplomats, and journalists have regular access to the prisons. The ICRC continued its visits to communal jails and military-supervised jails.

d. Arbitrary Arrest, Detention, or Exile

The fundamental law provides legal safeguards against arbitrary arrest and detention; however, authorities rarely observed them in practice, and security forces continued to arrest and detain persons arbitrarily. The justice system collapsed during the war and genocide of 1994. With help from the international community it is being rebuilt slowly and is beginning to function more normally. The Government does not have the capacity to ensure that provisions in the Constitution are enforced or that due process protections are observed.

In December 1999, there were reports that soldiers illegally detained a man from Gisenyi and four others in a ditch for 6 weeks (see Section 1.a.).

On April 22 in the DRC, security forces arrested civil society activist Bruno Bahati as he returned from the National Consultations, and reportedly kept him in detention in both Rwanda and the Kivu Provinces until August (see Section 2.d.). Rwandan authorities freed Bahati following international criticism.

In late July, security forces detained several members of the taxi drivers union, ATRACO, who staged a protest and peaceful demonstration against the union's leader for internal reasons (see Section 6.a.); it was unknown whether the protest was legal.

In general the law requires that authorities investigate, then obtain a judicial warrant before arresting a suspect. The police may detain persons for up to 48 hours without a warrant; formal charges must be brought within 5 days of arrest. These provisions are disregarded widely. The law permits preventive detention if authorities believe that public safety is threatened or that the accused might flee. There is no bail, but the authorities may release a suspect pending trial if they are satisfied that there is no risk that the person may flee or become a threat to public safety.

Over 95 percent of the approximately 115,000 individuals presently incarcerated are awaiting trial on genocide charges. Some have been in jail since 1994. The Government does not have the capacity to process cases within a reasonable time frame. In March 1997, the Government, with extensive assistance from donors, established mobile groups whose mandate is to establish or complete files, which indicate the basis for charges, for all prisoners. While these groups have handled more than 60,000 cases, approximately 18,000 prisoners remain without files. In 1999 the National Assembly amended the law to permit the continued detention of genocide suspects through mid-2001.

On April 21, former chairman of the Mouvement Democratique Republicain (MDR) political party Bonaventure Ubalijoro was released provisionally for humanitarian reasons after 13 months in prison without charges. He had been arrested in March 1999, allegedly for embezzlement, but there were rumors that Ubalijoro was arrested for his presumed involvement in the death of a dozen prisoners in the 1960's while he was Minister of Internal Security.

Despite some problems with reprisals in communities that had not been sufficiently sensitized to receiving released prisoners, the Government continued to release prisoners who were elderly, ill, without files, acquitted, or sentenced to terms outside of prison. Prisoners without files were presented to their villages to allow villagers to make complaints against the prisoners or to confirm that there was no reason to detain them.

As of December, 480 suspects were presented to the public in this process, called the Gisovu Project, and of these, 226 were released. Many of the nearly 3,000 detainees released were those without case files. Rearrests because of community criticism were rare. This change was attributed to improved enforcement by the Ministry of Justice of the laws governing arrest and to recognition of the fact that the existing prison caseload is already more than the system can handle. In 1999 in Kibuye prefecture, judicial officials delayed the release of 1,000 genocide suspects who have no case files due to fear that the community had not been sensitized sufficiently to receive the suspects peacefully.

During the year, international human rights organizations were granted access to military detention facilities where civilians sometimes are detained.

The Government does not use forced exile.

e. Denial of Fair Public Trial

The fundamental law provides for an independent judiciary; however, the Government did not respect this provision fully; the judiciary is subject to executive influence and also suffers from inefficiency, a lack of resources, and some corruption. There were occasional reports of bribery of officials, ranging from clerks to judges. The 12-member Anti-Corruption Commission charged with fighting corruption in the judiciary continued to make progress. It is chaired by the Minister of Justice and charged with investigating all activities involving corruption and educating citizens on methods that can be used to fight corruption. Several magistrates and prosecutors were suspended or dismissed on corruption charges during the year. There were reports that some magistrates were removed from office from May through August following "not guilty" verdicts of suspects alleged to have participated in the 1994 genocide. There also were credible reports that a few magistrates were removed from offices on false charges of genocide.

The fundamental law provides for a system of communal courts, appeals courts, and a Supreme Court of six justices. The President nominates two candidates for each Supreme Court seat, and the National Assembly may choose one or reject both; however, the latter is not known to have happened.

The law provides for public trials with the right to a defense, but not at public expense. The shortage of lawyers and the abject poverty of most defendants make it difficult for many defendants to obtain representation. International NGO's such as *Avocats Sans Frontiers* (ASF or Lawyers Without Borders) provide defense and counsel some of those in need, but it is estimated that less than 50 percent of prisoners have defense counsel. Lawyers from ASF rarely accept individual cases and assist mostly in group trials; numerous individuals represent themselves without legal assistance. During the year, new judges, prosecutors, and judicial defenders were sworn in and assigned to courts throughout the country. Over 100 judicial defenders trained by a foreign NGO began their work. However, the Government does not have sufficient prosecutors, judges, or courtrooms to hold trials within a reasonable time. The judiciary is focused on resolving the enormous genocide caseload of some 110,000 prisoners. The Government increased its use of group trials as one method of reducing the caseload. It also embarked on a nationwide campaign to explain *gacaca*, a grassroots participatory form of justice aimed at prosecuting genocide suspects, ahead of its expected enactment. On June 13, the former Secretary General in the Ministry of Justice, Aloysie Cyanzayire, was elected President of the sixth chamber of the Supreme Court, which will oversee the implementation of *gacaca*. The *gacaca* bill had not become law by year's end, but it is estimated that *gacaca* trials may begin in 2001. According to the draft *gacaca* law, lawyers will not to be permitted to participate officially in *gacaca* proceedings, and *gacaca* "judges" are to be elected by their communities.

By year's end, approximately 3,343 persons had been judged on genocide-related charges, most following group trials. According to a detailed study by LIPRODHOR, a local human rights organization, between January and September, 1,588 persons were judged. Of the 585 persons judged on genocide-related charges between January and March, 58 received the death penalty; 124 were sentenced to life in prison; 248 received various prison terms; 75 received other penalties; and 80 were acquitted. The vast majority of trials met international standards. The military tribunals conducted no trials during the first quarter of the year. LIPRODHOR also actively monitors trials and interviews released prisoners. No public executions occurred.

A portion of the Organic Genocide Law is designed to encourage confessions in exchange for reduced sentences for the vast majority of those involved in the genocide. As a result of efforts by the Government, international donors, and NGO's to advertise widely the confession provisions, over 20,000 prisoners had confessed since the law was implemented in 1996. However, only a small number of confessions were processed due to the lengthy administrative review and hearing, and the lack of officials to process the confessions through the system.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such practices, and authorities generally respected these prohibitions.

Forced conscription has been practiced by the RPA, particularly after the RPA entered the conflict in the DRC. Citizens who served in the military may be recalled to compulsory duty at any time.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The fundamental law provides for freedom of speech and of the press; however, the Government restricted freedom of the press in practice, despite some improvements. Some journalists were critical of the Government and generally were not harassed. Other journalists, including one foreign journalist, claimed that the Government intimidated journalists whose reporting was contrary to official views. Most journalists practice self-censorship due to fear of government reprisals.

On September 2, Vales Kwitegetse, a journalist with the government-controlled newspaper Imvaho, fled to Uganda after military officers threatened his life and beat his wife (see Section 1.c.). Kwitegetse was investigating a story about corruption involving the chief of the Government's anti-smuggling unit.

In September 1999, Helena Nyirabikali, a female journalist who worked for the state-owned weekly newspaper Imvaho for over 15 years, was arrested on genocide charges. She was transferred to a hospital during the year where she died from a heart-related illness.

In February 1999, John Mugabi, editor of the monthly newspaper Newsline, was detained on libel charges after he refused to reveal the source(s) for an article he had written. Mugabi was released provisionally in May 1999. Several conditions were placed on his freedom of movement and travel; however, although those conditions were not lifted, he faced no restrictions during the year, and was able to travel outside of the country.

All associations, including the Rwandan Journalists Association (ARJ), and all NGO's, must register and apply for a license under the NGO legislation that the National Assembly passed in 1999; however, this legislation had not become law by year's end. In June the Government required all NGO's to reregister and temporary permits were awarded pending implementation of the new law. Without a license, the Association legally may not act on behalf of its members nor apply for assistance from NGO's or other donors. The Government did not act on the application of any NGO for a license; however, the Government gave temporary permits to NGO's, including the ARJ, in order for them to operate legally until the new law is implemented and it can receive a license.

Media sources are limited. There are several privately owned newspapers, which publish weekly in English, French, or Kinyarwanda. There is no daily newspaper. The Government owns the only national radio station and the only television station, which has 5 hours of programming per day. The government-controlled radio station, Radio Rwanda, is widely listened to and each Sunday broadcasts a call-in program, which discusses and debates controversial subjects. Radio Rwanda journalists are civil servants of the National Office of Information (ORINFOR). The British Broadcasting Corporation broadcasts on FM from Kigali in several languages. The German broadcasting service Deutsche Welle also broadcasts from Kigali.

The government-owned telecommunications company is the sole Internet service provider; however, during the year, several licenses were granted to private companies that plan to provide Internet services in the future.

The Government respects academic freedom.

b. Freedom of Peaceful Assembly and Association

The fundamental law provides for freedom of peaceful assembly; however, the authorities limited this right in practice. They legally may require advance notice for outdoor rallies, demonstrations, and meetings; authorities generally prohibit nighttime meetings.

The Constitution provides for freedom of association; however, the Government limited this right in practice.

Private organizations are required to register but, with few exceptions (see Section 2.a.), the Government generally grants licenses without undue delay. All unions must register with the Government (see Section 6.a.).

The National Revolutionary Movement for Democracy and Development (MRND), and the Coalition for Defense of the Republic (CDR), both implicated in planning and executing the 1994 genocide, are banned by law.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, it imposes some restrictions. There is no state religion.

The Government requires nonprofit organizations, including religious groups, to register with the Ministry of Justice in order to acquire "juridical existence." This registration generally is routine and not burdensome. Relevant legislation makes no provision for tax-exempt status for such organizations. Failure to register leaves an organization unable to legally conclude agreements with other organizations, including agreements to receive assistance.

There were no reports that government officials barred from office persons who refused for religious reasons to take the oath of office; such an incident occurred during the 1999 election. The law provides for small fines and imprisonment for up to 6 months for anyone who interferes with a religious ceremony or with a minister in the exercise of his profession.

The Government forbids religious meetings at night on the grounds that insurgents formerly used the guise of nighttime "religious meetings" to assemble their supporters before attacking nearby targets.

Local officials on several occasions briefly detained persons who, on religious grounds, refused to participate in nighttime security patrols or cooperate in other government programs. Among the detainees were adherents of "Temperance" and "Abagorizi," both said to be offshoots of the Adventist Church and Jehovah's Witnesses. The Government harassed, arrested, and detained some members of Jehovah's Witnesses during the first 6 months of the year. Despite these accusations, there does not appear to be a pattern of systemic government discrimination against any particular religious group.

After the doomsday cult-related deaths in Uganda in March, the Government cautioned local officials to be alert to similar cults in Rwanda. In April local officials detained nine leaders and members of a religious organization called "The Evangelic Ministry in Africa and the World" in Byumba prefecture, near the border with Uganda. This organization had convinced a number of persons to leave work or school and surrender their material possessions in expectation of an imminent second coming of Christ.

Several members of the clergy of various faiths, notably Catholicism, have faced charges of genocide in both Rwandan courts and the ICTR. In June a Rwandan Court found Roman Catholic Bishop Augustin Misago not guilty of all charges related to his actions during the 1994 genocide. He was released soon after the decision was announced. On October 25, two Catholic priests were released when their 1998 convictions on genocide charges were overturned upon appeal (see Section 1.a.).

Catholic officials have charged that the Government is prejudiced against the Church. Catholic officials also have criticized the determination of the Government to maintain some massacre sites in churches as memorials to the genocide, rather than returning the buildings to the Church.

Numerous human rights groups reported that RPA and Ugandan troops in the DRC, as well as various rebel factions, targeted Catholic clergy for abuse. Abuses reportedly took the form of attacks on missions, killings of priests, the rape of nuns, and the burning of churches. Credible reports indicate that occupying troops and their rebel allies deliberately targeted Catholic churches as a means of both intimidating the local population and in revenge for the Church's perceived role in the 1994 genocide in Rwanda.

On February 11, RCD/Goma rebel forces operating in DRC prevented the Archbishop of Bukavu, Emmanuel Kataliko, from returning to his diocese. Rebels alleged that the Archbishop's Christmas message urged harassment of Tutsis in eastern DRC. A number of sources in eastern DRC indicate that the decision to exile Kataliko to the town of Bunia was made by officials of the Government of Rwanda. Archbishop Kataliko was allowed to return to Bukavu, DRC, in September; however, on October 3, the Archbishop died of an apparent heart attack while in Rome.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government limited them in practice. Citizens must show identification when requested. Travel authorization is not needed and citizens can move or settle temporarily anywhere without a residence permit. However, citizens must obtain a new national identification card when making a permanent move to a new commune.

Rebel and Rwandan authorities used threats and intimidation to prevent several dozen Congolese who had traveled from eastern DRC from returning after attending the National Consultations. This action resulted in civil society members from eastern DRC being stranded in Kinshasa for weeks, and sometimes months, after the National Consultations. On April 22, security forces arrested civil society activist Bruno Bahati as he returned from the National Consultations, and reportedly kept him in detention in both Rwanda and the Kivu Provinces until August. Rwandan authorities freed Bahati following international criticism (see Section 1.d.).

Over 600,000 persons were displaced in the northwest in late 1998 and moved into villages, called umudugudus, as a result of insurgent activities and government military operations to halt them. During late 1998 and the first half of 1999, the displaced persons were moved into 183 villages under the Government's policy of villagization. Although the Government claimed that the move to villages was voluntary, some observers believe that many persons were compelled to move by government authorities; others may have relocated out fear of government security forces or insurgents. The Government no longer compels these persons to remain in the villages; however, restrictions on where persons can build houses forces some to remain in the villages. One NGO estimates that over 90 percent of the population of Kibungo prefecture and 60 percent of Umutara prefecture were living in villages; however, other sources dispute those percentages.

The law does not provide for the granting of refugee or asylum status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Constitution recognizes the right to asylum "under conditions determined by law;" however, there is no law in place to recognize refugees. The Government cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR) and provided first asylum to a number of refugees. The vast majority were Congolese refugees who fled their country during unrest in 1996. Approximately 500 Burundians still are awaiting compensation for their property seized in 1997 when the Government revoked their refugee status, granted in the 1970's.

Over 80,000 Rwandan refugees remain in the DRC, Tanzania, Uganda, Burundi, Malawi, Zambia, Angola, Republic of the Congo, Cameroon, Central African Republic, Togo, and Benin. However, due to the conflict in the DRC, many refugees have returned to the country. The average weekly rate of return of refugees from northeast DRC was approximately 400.

There were reports of persons from Kibungo prefecture seeking refuge in Tanzania during the year, at least in part due to drought conditions. Other persons in the region left after men or boys in their families reportedly disappeared (see Section 1.b.). With the replacement of the Kibungo prefect and other local leaders in August, the flow of refugees into Tanzania from Kibungo decreased significantly. By September approximately 60 refugees per week returned from Tanzania.

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government by democratic means. The Rwandan Patriotic Front (RPF) is the dominant political force in the country. Following the genocide of 1994, political parties agreed to form a government of national unity based on the 1992-93 Arusha Accords. This agreement laid the basis for the apportionment of ministries and other offices. The RPF brought representatives of four opposition parties into the Government after its military victory in 1994, but none of the officials was elected. Political parties also agreed to suspend political activities for a period of 5 years, during which time the transition to elected government was to have been completed. This 5-year period was scheduled to end in July 1999; however, the Government announced in June 1999 the extension of the transition period by 4 additional years. The announcement did not mention political party activities; however, the parties continue to observe the suspension. Other political parties alleged that the RPF actively promoted itself regionally and at the communal level, while prohibiting other political parties from doing the same. A National Assembly is functioning, with nine political entities represented, including the RPA. The political bureaus or executive committees of their respective parties chose assembly members, known as deputies. For the first time in 1999, the "political forum," an informal grouping of senior members of each of the political parties represented in parliament, dismissed 21 deputies for misconduct, alleged corruption, or incompetence. The parliamentary

commissions of inquiry investigated allegations of corruption and other alleged misdeeds of ministers. Some of the inquiries resulted in the sanctioning and resignation of ministers.

The central Government appoints officials at the commune and prefecture levels. The Government announced that planned communal elections, the first since 1968, would be postponed until 2001 due to legislative, logistical, and financial difficulties. Political parties will not participate in the communal elections. In March 1999, the Government held elections for local development committees at the cell level (the smallest geographic jurisdiction) and sectors (the next-largest jurisdiction). Some of the committees were very active; they proposed, selected, and implemented development projects financed by the limited resources available to them.

The National Unity and Reconciliation Commission, charged with educating the public on such issues as ethnic understanding, peace building, history, and civics, is active. The National Constitution Commission, charged with the preparation of a new Constitution, was established and its 12 members appointed in November.

No legal restrictions hinder the participation of women in political life; however, women remain underrepresented in politics and in the Government. The Constitution was revised to increase the number of seats in the assembly from 70 to 74, including 2 seats for female representatives; however, the women were not sworn in by year's end. Prior to the increase in seats, there were 18 female assembly members and 3 female cabinet members. The Batwa ethnic group also is largely underrepresented in government and politics.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of domestic human rights groups operate without government restriction, investigating and publishing their findings on human rights violations. However, none has the resources to conduct extensive human rights monitoring. Local NGO activities often are limited to receiving and compiling reports from citizens about human rights abuses and conducting selective investigations. Reports are published occasionally; statements criticizing specific incidents are more common. Only one or two local human rights NGO's are viewed as strictly impartial.

The Government was critical of the reports by some international human rights NGO's, and was hostile towards those whose reporting was perceived as biased and inaccurate. In June the Government produced point-by-point refutations to the accusations contained in the Human Rights Watch report published in April, calling into question the authors' motives. At least one international NGO has complained that government security forces have harassed some of its informants (see Section 1.c.).

The National Commission for Human Rights (NCHR) hosted several human rights seminars during the year. The Government allows the commission to operate independently and without undue influence. The NCHR intervened in some cases of human rights abuses on behalf of citizens. For example, following a request from family members, the NCHR raised with the Government the case of four men arrested in Burundi and Tanzania and forcibly repatriated to the country (see Section 1.c.).

The ICRC operates normally and is active in visiting prisons.

The ICTR, based in Arusha, Tanzania, continued to prosecute genocide suspects during the year (see Section 1.a.). Cooperation between the Government and the ICTR improved following the ICTR Appeals Chamber's March 31 decision that Jean-Bosco Barayagwiza remain in ICTR custody to be tried for genocide and crimes against humanity; his trial began on September 18 (see Section 1.a.). The judges revised their decision on the basis of the chief prosecutor's introduction of additional facts. The ICTR operates under an agreement signed in 1999, which clarified some aspects of protection measures, but concentrated largely on the ICTR staff's privileges and immunities. During the year, the Government of Swaziland signed an agreement with the ICTR to accept prisoners convicted by the ICTR; the Governments of Mali and Benin signed similar agreements in 1999. The Government of Italy also agreed to house Georges Riuggiu, the only non-Rwandan in ICTR custody; however, the implementation of this agreement had not occurred by year's end. On February 6, in London, Lt. Colonel Tharcisse Muvunyi was arrested and transferred to Arusha on genocide charges. On May 23, Major Francois-Xavier Nzuwonemey, former Reconnaissance Battalion Commander, was transferred from France to Arusha. In March Elizaphan Ntakirutimana was extradited to Arusha for trial.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides that all citizens are equal before the law, without discrimination on the basis of race,

color, origin, ethnicity, clan, sex, opinion, religion, or social standing; however, the Government provides only limited enforcement of these provisions.

Women

Violence against women is common. Wife beating and domestic violence occur frequently. Cases normally are handled within the context of the extended family and rarely come before the courts.

Numerous suspects have been tried and convicted for crimes of violence against women and girls. In April Aman Bazambanza was found guilty in a 15 suspect group trial of raping 2 young girls in Kigali rural prefecture; the court sentenced 10 of the suspects to 20 years in prison and 4 others to 10 years. The lengthy sentences for rape were the first such sentences in the justice system. Several other rape trials were held throughout the country in which perpetrators received the maximum sentences under the law.

Despite constitutional provisions, women continue to face discrimination. Women traditionally perform most of the subsistence farming and play a limited role in the modern sector; however, a number of women run small and medium-sized enterprises or are executives. Women have limited opportunities for education, employment, and promotion. The 1992 Family Code generally improved the legal position of women in matters relating to marriage, divorce, and child custody but does not meet the constitutional commitment to gender equality. For example, the code formally designates men as heads of households. Civil society groups and human rights NGO's provided training on women's rights under the matrimonial regimes and inheritance law, which came into effect at the end of 1999. The law allows women to inherit property from their husbands and fathers and allows couples to choose the type of property rights they wish to adopt (i.e., joint ownership, community property, etc.).

The Ministry of Gender and Women in Development is charged with handling issues of particular concern to women. The Minister is an active advocate for women's rights. Since the 1994 genocide a large number of women's groups has emerged. These organizations are extremely active in promoting women's issues, particularly problems faced by widows, orphaned girls, and households headed by children, and addressing social and cultural barriers to the equality of women.

Children

The Government is committed to children's rights and welfare. It attempts to provide education and health care to every child. Over 85 percent of the children who were separated from or lost their parents during the 1994 genocide and the massive repatriation in 1996 have been reunited with family members or placed in foster homes. At an August conference on children's rights hosted by UNICEF, the Government asked for the immediate return of approximately 30,000 children living abroad; it claims that most were taken without the consent of their parents during the genocide. Many of the children abroad have been adopted. In November the Government asked that 41 children adopted in Italy be repatriated; discussions between the Governments of Rwanda and Italy continued at year's end.

All families must pay school fees to enroll a child. The Government routinely waived fees for orphans. UNICEF estimates that over 60,000 children age 18 or younger head households in the country. The Government worked closely with local and international NGO's to secure assistance for children in such situations. The Government regularly held sessions with local officials to sensitize them to the needs of households headed by children and emphasized the additional responsibility officials bear in connection with this group.

The public schools lack essential and basic supplies and cannot accommodate all children of primary school age. A UNICEF study reports that 400,000 school-aged children were unable to go to school in 1999. Private schools often are too distant or too expensive to serve as an alternative for many children. Entry to secondary school is by examination. According to the 1996 study conducted by the Government and the U.N. Population Fund, 59.6 percent of the population age six and over had primary education, but only 48 percent of the whole population is literate; 52 percent of men are literate compared to 45 percent of women. Only 3.9 percent of citizens had completed secondary school and only 0.2 percent had an university education. The highest percentage of those with no education is in the 30-and-over age group, indicating a trend toward increased educational levels in recent years.

Although the Penal Code prohibits the imprisonment of children with adults, the ICRC reported that 185 children, most of whom are age 2 or younger, are incarcerated with their mothers. In 1999 the ICRC reported that approximately 570 children who were under the age of 14 at the time of their arrest are incarcerated on genocide-related charges; some 25 children under the age of 14 currently are incarcerated.

On February 1, local authorities again arrested 1,300 street children and ordered them to return to their communes of origin or face the penalties for vagabondage and other crimes attributed to them. Many returned to street again a short time later.

In the DRC, RPA and Ugandan troops, in addition to RCD rebels, reportedly abducted many young women from the villages they raided. These night raids on villages became so frequent that in many parts of the Kivu Provinces rural peasants slept in their fields.

People with Disabilities

Although there are no laws restricting persons with disabilities from employment, education, or other state services, in practice few disabled persons have access to education or employment. No laws or provisions mandate access to public facilities.

Indigenous People

With the removal of ethnic labels from identification cards in 1996, the Batwa are no longer designated officially as an "ethnic group." Less than 1 percent of the population is considered Batwa. The Batwa, survivors of the Twa (Pygmy) tribes of the mountainous forest areas bordering the DRC, exist on the margins of society and continued to be treated as inferior citizens by both the Hutu and Tutsi groups. There are seven Batwa organizations focused on the protection of their interests, access to land, housing, and education, and eradication of discrimination against them; however, they have been unable to protect their interests. Few Batwa have access to the education system, resulting in their minimal representation in government institutions. There is no reliable information on specific human rights abuses perpetrated against the Batwa population since the 1994 upheaval. There is one Batwa representative on the National Commission for Human Rights.

National/Racial/Ethnic Minorities

Before April 1994, an estimated 85 percent of citizens were Hutu, 14 percent were Tutsi, and 1 percent were Batwa (Twa). However, Hutus and Tutsis are not clearly distinct groups, since the two have intermarried for generations. The 1994 mass killings and migrations probably affected the ethnic composition of the population, but the extent and nature of the changes are unknown.

Large-scale interethnic violence in the country between Hutus and Tutsis has erupted on three occasions since independence in 1962, resulting on each occasion in tens or hundreds of thousands of deaths. The most recent and severe outbreak of such violence, in 1994, involved genocidal killing of much of the Tutsi population under the direction a Hutu-dominated government and implemented in large part by Hutu-dominated armed forces (now the ex-FAR) and Interahamwe militia; that genocide ended later the same year when a predominately Tutsi militia, operating out of Uganda and occupied Rwandan territory, overthrew that government and established the current Government. The Government has called for national reconciliation and committed itself to abolishing policies of the former government that had created and deepened ethnic cleavages. It eliminated references to ethnic origin from the national identity card. The Government has not addressed statutorily the problem of ethnic quotas in education, training, and government employment, but discrimination against the Tutsi minority in education, training, and government employment effectively ceased with the change of government in 1994. Some Hutu organizations and individuals accuse the Government of favoring Tutsis, particularly English-speaking Tutsis, in government employment, admission to professional schooling, recruitment into or promotion within the army, and other matters. Some organizations also complain that in hiring, the government favors English-speaking Tutsis over French-speaking Tutsis.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right to create professional associations and labor unions, and the Government generally respects this right in practice. The labor movement has been hampered in practice due to the massive disruptions caused by the 1994 genocide. Unions have been continued to regroup and assert themselves.

Union membership is voluntary and open to all salaried workers, including public sector employees. There are no restrictions on the right of association, but all unions must register with the Ministry of Justice for official recognition. There are no known cases in which the Government denied recognition. The law prohibits unions from having political affiliations, but in practice this is not always respected. Union activists complain that

employers threaten to fire employees who attempt to organize or join unions.

Organized labor represents only a small part of the work force. More than 90 percent of workers are engaged in small-scale subsistence farming. About 7 percent work in the modern (wage) sector, including both public and private industrial production, and about 75 percent of those active in the modern sector are members of labor unions.

Until 1991 the Central Union of Rwandan Workers (CESTRAR) was the only authorized trade union organization. With the political reforms introduced in the 1991 Constitution, the CESTRAR officially became independent of the Government and the later-outlawed MRND political party. Unions outside the CESTRAR have been registered.

The Constitution provides for the right to strike, except for public service workers. A union's executive committee must approve a strike, and a union must try to resolve its differences first with management according to steps prescribed by the Ministry of Public Service and Labor. Members of the taxi drivers union, ATRACO, staged a protest and peaceful demonstration against the union's leader for internal reasons in late July; security forces detained several persons (see Section 1.d.).

Labor organizations may affiliate with international labor bodies. The CESTRAR is affiliated with the Organization of African Trade Union Unity and the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively

The Constitution provides for collective bargaining, although only the CESTRAR had an established collective bargaining agreement with the Government. In practice since most union members are in the public sector, the Government is involved intimately in the collective bargaining process (see Section 6.e.).

The law prohibits antiunion discrimination, and there were reports during the year that some employers threatened their employees who wished to join unions. No formal mechanisms exist to resolve complaints involving discrimination against unions.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced labor; however, prisoners are assigned to work details, which generally involved rebuilding houses, clearing land, or other public maintenance duties. Prisoners also can be hired to perform work on private residences and businesses. It is unclear how much revenue the prisoners are given in return for their work.

Although the law does not specifically prohibit forced and bonded labor by children, such practices are not known to occur.

d. Status of Child Labor Practices and Minimum Age For Employment

Except for subsistence agriculture, the law prohibits children under age 18 from working without their parents' or guardians' authorization, and they generally may not work at night. The minimum age for full employment is 18 years, and 14 years for apprenticeships, providing that the child has completed primary school. The Ministry of Public Service and Labor has not enforced child labor laws effectively; however, in July the Ministry of Public Service and Labor and the Ministry of Local Government and Social Affairs, in collaboration with UNICEF, announced a national program aimed at educating children about their rights. It is rare to see child labor outside the agricultural sector.

The law does not specifically prohibit forced or bonded labor by children; however, such practices are not known to occur (see Section 6.c.).

e. Acceptable Conditions of Work

The Ministry of Public Service and Labor sets minimum wages in the small modern sector. The Government, the main employer, effectively sets most other wage rates as well. There is no single minimum wage; minimum wages vary according to the nature of the job. The minimum wages paid are insufficient to provide a

decent standard of living for a worker and family and in practice, workers accept less than the minimum wage. Often families supplement their incomes by working in small business or subsistence agriculture.

Officially, government offices and private sector entities have a 40-hour workweek. The law controls hours of work and occupational health and safety standards in the modern wage sector, but labor inspectors from the Ministry of Public Service and Labor enforce them only loosely. Workers do not have the right to remove themselves from dangerous work situations without jeopardizing their jobs.

f. Trafficking in Persons

The law does not prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, within, or through the country.

[End.]